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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/779,639	KANEMITSU, HIROYUKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lam P. Pham	2636	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/20/2006.
2. ☒ The allowed claim(s) is/are 1, 3-6, 8-9, 11-15, (renumbered as 1-12).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____  |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Zibelli on February 17, 2006.

The application has been amended as follows:

In claim 3, line 1: change "according to claim 2" to "according to claim 1".

In claim 11, line 1: change "according to claim 10" to "according to claim 9".

### ***Allowable Subject Matter***

2. Claims 1, 3-6, 8, 9, 11-15 allowed.

3. The following is an examiner's statement of reasons for allowance:

No prior art fairly teach or suggest a communication system (claim 1) for communicating between moving objects, comprising:

a transmitting portion provided in at least one of first moving object, which transmits moving object information that includes accuracy level information regarding an apparatus provided in the first moving object to a second moving object using communication between moving objects, wherein the accuracy level information includes information indicating whether a specified apparatus is provided in the first moving object; the specified apparatus is a type of GPS

system being used in the first vehicle for generating moving objection information having a degree of accuracy or resolution or precision. This information is being used by second vehicle for determining highest accuracy location information in order to avoid accident between moving vehicles.

a receiving portion provided in the second moving object, which receives the transmitted moving object information; and

a determining portion provided in the second moving object, which determines a peripheral state around the second moving object based on the received moving object information.

No prior art fairly teach or suggest a communication system (claim 4) for communicating between moving objects, comprising:

a transmitting portion provided in at least one of first moving object, which transmits moving object information that includes accuracy level information regarding an apparatus provided in the first moving object to a second moving object using communication between moving objects; the apparatus is a type of GPS system being used in the first vehicle for generating moving objection information having a degree of accuracy or resolution or precision. This information is being used by second vehicle for determining highest accuracy location information in order to avoid accident between moving vehicles.

a receiving portion provided in the second moving object, which receives the

transmitted moving object information; and  
a determining portion provided in the second moving object, which determines a peripheral state around the second moving object based on the received moving object information, wherein the determining portion determines the peripheral state using only moving object information in which an accuracy level indicated by the accuracy level information is a predetermined level of accuracy or higher.

No prior art fairly teach or suggest a communication system (claim 5) for communicating between moving objects, comprising:

a transmitting portion provided in at least one of first moving object, which transmits moving object information that includes accuracy level information regarding an apparatus provided in the first moving object to a second moving object using communication between moving objects; the apparatus is a type of GPS system being used in the first vehicle for generating moving objection information having a degree of accuracy or resolution or precision. This information is being used by second vehicle for determining highest accuracy location information in order to avoid accident between moving vehicles.

a receiving portion provided in the second moving object, which receives the transmitted moving object information; and

a determining portion provided in the second moving object, which determines a peripheral state around the second moving object based on the received moving object information;

a generating portion provided in the second moving object, which generates moving object information for the second moving object using the moving object information in which an accuracy level indicated by the accuracy level information is the highest level of accuracy among the moving object information transmitted from the transmitting portion and the moving object information of the second moving object.

A driving support apparatus (6) for a vehicle, comprising:

a transmitting portion which transmits moving object information of the vehicle using communication between moving objects; and

an information control portion which includes accuracy level information regarding an apparatus provided in the vehicle in the moving object information to be transmitted, wherein the accuracy level information includes information indicating whether a specified apparatus is provided in the vehicle; the apparatus is a type of GPS system being used in the first vehicle for generating moving objection information having a degree of accuracy or resolution or precision. This information is being used by second vehicle for determining highest accuracy location information in order to avoid accident between moving vehicles.

A driving support apparatus (9) for a vehicle, comprising:

a receiving portion which receives moving object information transmitted from

at least one moving object that is different from the vehicle via communication between moving objects, the moving object information including accuracy level information regarding an apparatus provided in the at least one moving object, wherein the accuracy level information includes information indicating a specified apparatus is provided in the at least one moving object; the apparatus is a type of GPS system being used in the first vehicle for generating moving objection information having a degree of accuracy or resolution or precision. This information is being used by second vehicle for determining highest accuracy location information in order to avoid accident between moving vehicles.

a determining portion which determines a peripheral state around the vehicle using the received moving object information.

A driving support apparatus (claim 12) for a vehicle, comprising:

a receiving portion which receives moving object information transmitted from at least one moving object that is different from the vehicle via communication between moving objects, the moving object information including accuracy level information regarding an apparatus provided in the at least one moving object; the apparatus is a type of GPS system being used in the first vehicle for generating moving objection information having a degree of accuracy or resolution or precision. This information is being used by second vehicle for determining highest accuracy location information in order to avoid accident between moving vehicles.

a determining portion which determines a peripheral state around the vehicle using the received moving object information;

an accuracy level analyzing portion which i) analyzes the accuracy level information included in the moving object information of the at least one moving object, which was transmitted from the at least one moving object, ii) compares an accuracy level of the accuracy level information of the vehicle with an accuracy level of the analyzed the accuracy level information, and iii) and extracts the accuracy level information having the highest accuracy level from there among; and

an intersecting possibility determining portion which determines the running state of the at least one moving object around the vehicle using the moving object information having the extracted accuracy level, and determines the possibility of intersection between the vehicle and the at least one moving object.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Art Unit: 2636

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P. Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham  
February 17, 2006.

  
JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600